



10/522322  
OTOB Rec'd PGT/PTO '14 MAR 2005

**Certification under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to THE COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on March 10, 2005.

Brian W. Hameder (Reg. No. 45,613)

Name

Signature

DOCKET: CU-4060

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Christina Lutz et al

Serial No.: 10/522,322

Group Art Unit:

Filed: January 25, 2005

Examiner:

For: CONFECTIONERY MADE FROM HERBAL MIXTURES

THE COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of the first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: March 10, 2005

Signature of Attorney

Brian W. Hameder

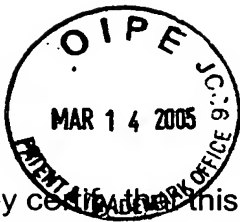
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**INFORMATION DISCLOSURE STATEMENT**

Applicants submit herewith patents, publications or other information of which the applicants are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise. Also, if the present application was filed after June 30, 2003, copies of US patents or published applications are not submitted in accordance with the USPTO Rule changes.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

Additional comments, if any, on the relevance of each reference listed are provided as follows:

**Also submitted herein is a copy of the International Search Report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).**

The Statement is made on the basis of the information:

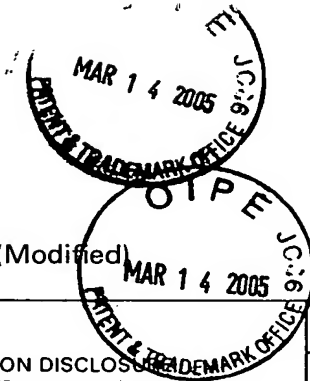
_____	supplied by the inventor(s);
<u>  X  </u>	supplied by an individual associated with the filing and prosecution
_____	of this application (37 CFR 1.56(c)); or
_____	in the attorney's file.

Respectfully submitted,

Date: March 10, 2005



Signature of Attorney  
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Form PTO-1449 (Modified)

FORM PTO-1449	ATTY. DOCKET NO. CU-4060	SERIAL NO. 10/522,322
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT Christina Lutz et al	
	FILING DATE January 25, 2005	GROUP 1

(37 CFR 1.98(b))

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	PATENT DOCUMENT	ISSUE/PUB DATE	PATENTEE	CLASS	SUB- CLASS	FILING DATE
	US5338809	08/16/1994	Bell et al.			
	US4623543	11/18/1986	Motegi et al.			

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

EXAMINER INITIAL	DOCUMENT NUMBER	PUBL. DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB- CLASS	TRANSLATION YES   NO
	EP0593774	04/27/1994	EPO			
	GB1526020	09/27/1978	United Kingdom			
	EP0686351	12/13/1995	EPO			
	DE20115366	02/28/2002	Germany			
	DE29908059	09/14/2000	Germany			

**OTHER DOCUMENTS (Including Author, Title, Date, Place of publication)**


(Form PTO-1449)